

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
THE COMMONWEALTH OF PUERTO RICO, *et al.*,
Debtors.¹

In re:
THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,
as representative of
PUERTO RICO SALES TAX FINANCING
CORPORATION (“COFINA”), *et al.*,
Debtors.

PROMESA
Title III
No. 17 BK 3283-LTS
(Jointly Administered)

PROMESA
Title III
No. 17 BK 3284-LTS

**INFORMATIVE MOTION OF THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO REGARDING OMNIBUS AND INDIVIDUAL
OBJECTIONS OF THE PUERTO RICO SALES TAX FINANCING CORPORATION**

To the Honorable United States District Judge Laura Taylor Swain:

In advance of the upcoming hearing on March 13, 2019 (the “Hearing”), the Puerto Rico Sales Tax Financing Corporation (“COFINA”), by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as representative of COFINA

¹ The Debtors in these Title III Cases, along with each Debtor’s respective Title III case number and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); and (v) Puerto Rico Electric Power Authority (“PREPA” and together with the Commonwealth, COFINA, HTA, and ERS, the “Debtors”) (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

pursuant to Section 315(b) of the *Puerto Rico Oversight, Management, and Economic Stability Act* (“PROMESA”), hereby submits as Exhibit A hereto six (6) consent forms (the “Consents”) signed by claimants agreeing to withdraw their respective responses to certain claim objections filed by COFINA, and respectfully states as follows:

1. A total of forty-seven (47) claim objections (each an “Objection” and collectively, the “Objections”) have been filed by COFINA, five (5) of those objections have been granted by the Court (*see* ECF Nos. 4405, 4406, 4407, 4408, 4409), and forty-two (42) objections are scheduled to be heard by the Court at the Hearing. The Objections include nineteen (19) omnibus objections (each an “Omnibus Objection” and collectively, the “Omnibus Objections”) seeking to disallow and/or reclassify (so as to be claims asserted against different Title III debtors) thousands of proofs of claim asserted against COFINA. Sixteen (16) Omnibus Objections, numbered one through sixteen, were filed on December 4, 2018 (*see* ECF Nos. 4405, 4406, 4407, 4408, 4409, 4410, 4411, 4412, 4413, 4414, 4415, 4416, 4417, 4418, 4419, 4420), and three (3) additional Omnibus Objections, numbered seventeen through nineteen, were filed on December 19, 2018 (*see* ECF Nos. 4502, 4504, 4506). Each Omnibus Objection attached an Exhibit A, which listed the claims subject to that specific Omnibus Objection. Where appropriate, the Oversight Board will file amended versions of each Exhibit A to remove claims that were voluntarily withdrawn by the claimant after the Omnibus Objection to which the claim was subject was filed.

2. Additionally, COFINA will withdraw certain individual objections to claims asserted against COFINA (collectively, the “Individual Objections”). COFINA initially filed twenty-eight (28) Individual Objections on December 19, 2018 (*see* ECF Nos. 4507, 4509, 4510, 4511, 4513, 4514, 4515, 4517, 4519, 4520, 4521, 4522, 4523, 4524, 4525, 4526, 4527, 4528, 4529, 4531, 4532, 4533, 4534, 4535, 4536, 4537, 4538, 4539). The Oversight Board will

withdraw certain Individual Objections to the extent the claim at issue in each of these Objections has been voluntarily withdrawn by the claimant.

3. Pursuant to the notices accompanying each of the Objections (each a “Notice”),² any party disputing an Omnibus Objection was required to file and serve a response in accordance with the process set forth in the Notice by 4:00 p.m. (Atlantic Standard Time) on February 1, 2019. The deadline to submit a response to any of the Individual Objections was 4:00 p.m. (Atlantic Standard Time) on February 26, 2019. A total of fifty-five (55) responses were timely filed with the Court and served on the Oversight Board. ECF Nos. 4479, 4490, 4491, 4581, 4585, 4587, 4595, 4604, 4630, 4631, 4659, 4673, 4685, 4800, 4825, 4827, 4828, 4829, 4839, 4849, 4877, 4895, 4896, 4922, 4943, 4944, 4951, 4973, 4974, 4980, 4988, 4989, 4994, 4997, 4999, 5000, 5001, 5004, 5005, 5006, 5017, 5019, 5021, 5026, 5028, 5029, 5032, 5033, 5034, 5035, 5037, 5039, 5041, 5042, and 5081. Nine (9) of these responses were withdrawn by the claimants, and the Oversight Board has filed replies in support of the Sixth, Seventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Eighteenth, and Nineteenth Omnibus Objections, as well as the Individual Objections to the claims filed by Cooperativa de Ahorro y Crédito de Rincón, Cooperativa de Ahorro y Crédito de Juana Díaz, Cooperativa de Ahorro y Crédito Dr. Manuel Zeno Gandía, and Cooperativa de Ahorro y Crédito Valenciano.

4. In an effort to efficiently and cooperatively resolve as many responses as possible in advance of the Hearing, a representative of the Oversight Board contacted certain claimants who filed a response to explain the Objection at issue and address any concerns raised by the claimant in the response. The following claimants subsequently agreed to withdraw their responses, as set

² Each Notice was served in English and Spanish on the individual creditors subject to the Omnibus Objections, the U.S. Trustee, and the Master Service List (as defined in the *Order Further Amending Case Management Procedures* [ECF No. 3804]). See *Certificate of Service* [ECF No. 4442].

forth in the Consents attached hereto as Exhibit A:

Claimant	Proof of Claim No.	Response Agreed to Withdraw
Linda W. Bird	3690	Sixth Omnibus [ECF No. 4581]
Joseph T. Lowery; Marie E. Ocampo	6923	Sixth Omnibus [ECF No. 4804]
Linda A. Kaye	4084	Sixth Omnibus [ECF No. 4800]
Carmen R. Cebollero de Dragoni	23577	Sixth Omnibus [ECF No. 4896]
Lorenzo Dragoni	29295	Sixth Omnibus [ECF No. 4895]
Keith Gambino	2054	Sixth Omnibus [ECF No. 4839]

5. Of the fifty-five responses that were timely filed to the Omnibus Objections, six (6) will be withdrawn pursuant to the Consents.

Dated: March 12, 2019

San Juan, Puerto Rico

Respectfully submitted,

/s/Hermann D. Bauer
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representative of COFINA*

CERTIFICATE OF SERVICE

I hereby certify that on March 12, 2019, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification to all counsel of record, and all CM/ECF participants in the case.

/s/Hermann D. Bauer

Hermann D. Bauer